

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 13, 2004, the following members were present:

Bob Rowe, Chairman
Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

APPEARANCE

Scott Fabel
Utility Division

(133) In the matter of MCI Telecommunications - N2004.3.48: On March 29, 2004, MCI Filed Tariff Transmittal 04-08. MCI is requesting to make textual changes to Basic Calling Plan DD, Basic Calling Plan EE and to correct administrative errors.

Commissioner Brainard moved to approve the request by MCI. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator
Legal Division

(134) In the matter of the Commission's discussion of T-03.47.PCN: On March 12, 2004, the Commission approved Proposed Order 6543 in the application of Donna S. Miller dba D&D Limousine, Seeley Lake, Montana for a certificate of public convenience and necessity. There were no objections to that Proposed Order.

Commissioner Brainard moved to issue the proposed order as a final order. Commissioner Stovall seconded the motion, which passed 4-1. Commissioner Schneider voted to dissent on Finding 21.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(135) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of April 5, 2004. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE
Monica Tranel, Kim Moran

(136) In the matter of the Commission's discussion of Qwest Tariff Transmittal 04-01 - N2003.10.149:

Commissioner Schneider moved to approve tariff transmittal 04-01 subject to the conditions set forth in the Notice of Commission Action. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson, Mike Lee

(137) In the matter of the Commission's discussion of MITS and MTA - ETC "public interest" rules and motions for stay of ETC proceedings:

Commissioner Rowe moved to conditionally grant the petition for rulemaking and instructed staff to prepare proposed rules for Commission review in 45 days. The notice is to include modifications to petitioners proposed text and additional rules submitted by MCC and other comments filed in the Docket, and expanding rulemaking to include areas served by non rural incumbents. Commissioner Jergeson seconded the motion, which passed unanimously.

Commissioner Brainard moved to deny the motion that ETC proceedings be stayed pending rulemaking for FCC action on the Joint Board recommended decision. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE
Mike Lee, Monica Tranel

(138) In the matter of the Commission's discussion of Qwest - Draft Orders on Motions for Reconsideration - Docket Nos. D2002.12.153 and D2003.10.153;

Commissioner Schneider moved to approve the orders as drafted with the modifications discussed today and the revised order to be circulated to Commissioners for final edits. Commissioner Stovall seconded the motion, which passed 4-1. Commissioner Jergeson dissented (in accordance with the March 29th vote).

APPEARANCE
Martin Jacobson, Kim Moran

(139) In the matter of the Commission's discussion of Energy West Montana (EWM) general rate cases for Great Falls and West Yellowstone and other pending EWM dockets - Docket Nos. D2004.3.46, D2004.2.16, et al.;

Commissioner Schneider moved to deny the waiver of schedules L (ACOS) and M (RD) in PSC Docket No. D2004.3.46, Energy West Montana's general rate case, Great Falls region. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan

(140) In the matter of the Commission's discussion of NWE Bankruptcy;

Commissioner Jergeson moved to authorize filing the objection for compensation consultant services with a draft to be circulated for editing. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Laura Calkin

(141) In the matter of the Commission's discussion of Out-of-State travel;

Commissioner Schneider moved to authorize Phil Cooke to attend the Center for Public Utilities: the Basics, in Albuquerque, NM, May 9-14, 2004; and also to authorize Monica Tranel to attend the NARUC Attorney's Conference in Chicago, Ill., May 16-19, 2004. Commissioner Stovall seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGSON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)